

# Adversary Case Opening

## *For Attorneys / Trustees*

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff, defendant, and basic statistical data. The complaint is incorporated into this process and will not need to be docketed separately. At this time when the filer is the attorney, he/she **must also be added as a party to the case**. This is the only time this process is required. (Refer to Step 9.)

- STEP 1** Click the Adversary hyperlink on the CM/ECF main menu bar. (See Figure 1.)



**Figure 1**

- STEP 2** Click on the Open an AP Case hyperlink displayed on the **ADVERSARY EVENTS** screen. (See Figure 2.)



**Figure 2**

**STEP 3** The **CASE DATA** screen displays. (See Figure 3.)



Open Adversary Case

Case type ap

Date filed 8/26/2008

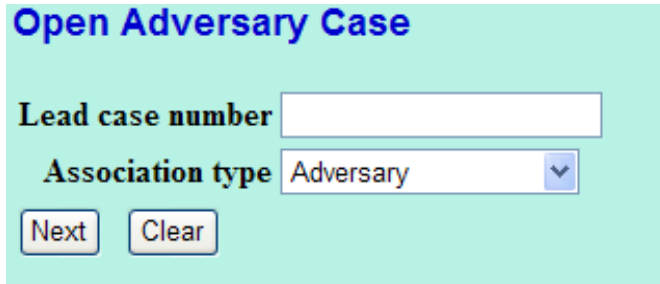
Complaint Y

Next Clear

**Figure 3**

- ◆ The case number will be generated at the end of this process. Make sure you take note of it on the final screen.
- ◆ The current date is displayed next to **Date Filed**.
- ◆ The **Case Type** values are ap for adversary proceeding
- ◆ The Complaint field signifies the lead event for this proceeding. If you are filing something other than a complaint such as a Notice of Removal, select **(n)** for no.
- ◆ Click **[Next]**.

**STEP 4** The **RELATED CASES** screen displays next. (See Figure 4.)



**Figure 4**

- ◆ Enter the **Lead Bankruptcy Case Number** in yy-nnnnn format, including the hyphen.

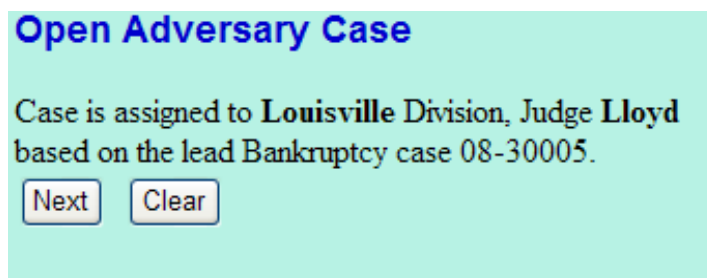
**NOTE:** If the case number is invalid or if the lead case does not reside on this database, an error message, “**YY-NNNNN is not a valid case. Please enter a valid value.**” is generated.

You will not be able to proceed with the case opening process. Research the reason for the error.

If you do not enter any number in the **Lead Case Number** field the system **will** allow you to proceed with case opening.

- ◆ Select the default of Adversary as the **Association Type**.
- ◆ Click **[Next]** to continue.

**STEP 5** The **Case Assignment** screen displays next. (See Figure 5.)

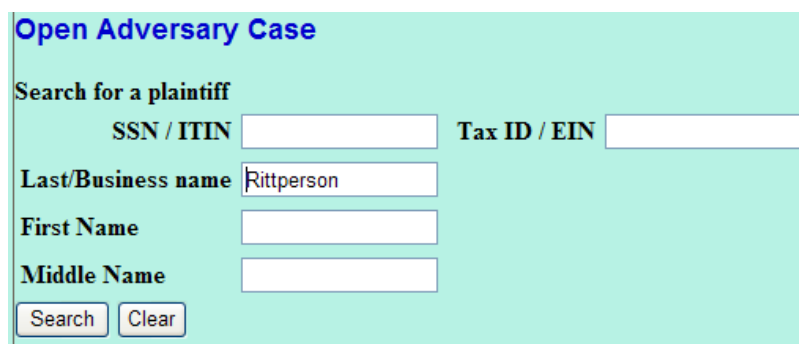


The screenshot shows a light blue rectangular box with the title "Open Adversary Case" in bold blue text at the top. Below the title, the text reads: "Case is assigned to **Louisville Division**, Judge **Lloyd** based on the lead Bankruptcy case 08-30005." At the bottom of the box are two buttons: "Next" and "Clear".

**Figure 5**

- ◆ Click **[Next]** to continue.

**STEP 6** The **Search for Plaintiff** screen appears. (See Figure 6.)



The screenshot shows a light blue rectangular box with the title "Open Adversary Case" in bold blue text at the top. Below the title, the text reads: "Search for a plaintiff". There are four input fields: "SSN / ITIN", "Tax ID / EIN", "Last/Business name" (which contains the text "Rittperson"), and "First Name". Below these fields are two buttons: "Search" and "Clear".

**Figure 6**

- ◆ Before adding a party, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name.
  - Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters

**Search Hints:**

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (\*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (\*son, Gr?y)
- Do not search only by the asterisk \* itself.

- ◆ Enter the plaintiff's last name or other search clue and click **[Search]**. In Figure 6 we have entered the first word or the plaintiff's name (Financial).

**NOTE:** Do not use the asterisk \* by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

**STEP 7** The **SEARCH RESULTS** screen appears. (See Figure 7.)

**Search for a plaintiff**

SSN / ITIN  Tax ID / EIN

Last/Business name

First Name

Middle Name

**Party search results**

Rittperson, Brenda, 601 W Broadway, Louisville, KY  
Rittperson, Brenda  
Rittperson, Grace, 601 W Broadway, Lou, KY  
Rittperson, Grace R.  
Rittperson, January X., 601 W Broadway, Louisville, Ky  
Rittperson, Ralphie, 601 W Broadway, Louisville, KY

**Figure 7**

**NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button.

◆ If the party is not on the listed, click the **[Create New Party]** button.

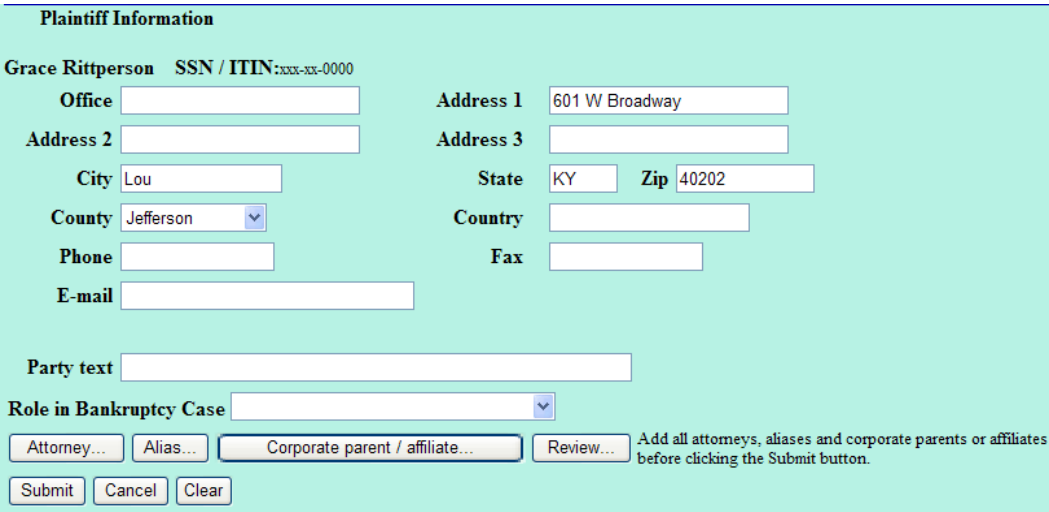
**NOTE:** Your name search may find more than one record having the same name as shown in **Figure 7**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

The screenshot displays the ECF (Electronic Case Filing) system interface. At the top, a navigation bar includes links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The main section is titled 'Search for a party' and contains input fields for SSN, Tax Id, and Last/Business name. Below these fields are 'Search' and 'Clear' buttons. A 'Party search results' section shows a list with 'American Express' highlighted. At the bottom of the search area are 'Select name from list' and 'Create new party' buttons. A pop-up window titled '(Person Address) - Netscape' displays the address: American Express, 3091 Sizemore Rd., Dallas, TX 78555.

**Figure 7b**

**STEP 8** The **PLAINTIFF INFORMATION** screen appears. (See Figure 8.)



**Plaintiff Information**

Grace Rittperson SSN / ITIN:xxx-xx-0000

Office  Address 1 601 W Broadway

Address 2  Address 3

City Lou State KY Zip 40202

County Jefferson  Country

Phone  Fax

E-mail

Party text

Role in Bankruptcy Case

Attorney... Alias... Corporate parent / affiliate... Review... Add all attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

Submit Cancel Clear

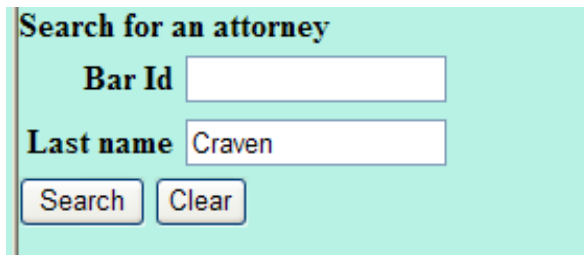
**Figure 8**

- ◆ Expand the **Role in Bankruptcy Case** selection pick list by clicking on the down arrow ▼ and select the party type.
- ◆ The **Party Text** field is used for further party description, such as A Kentucky Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ Click on the **[Attorney]** button on the **PLAINTIFF INFORMATION** screen. (See Figure 8.)

**STEP 9** For adversary openings **ONLY**, you will need to add yourself as the attorney representing the **plaintiff(s)**. Steps 9 - 11 will show how this is done.

- ◆ Your attorney record already exists on the court's database in an attorney roll that is maintained by court staff.

The **ATTORNEY SEARCH** screen allows you to retrieve your attorney record by either State Bar ID or Last Name (or partial Last Name.) (See Figure 9.)



Search for an attorney

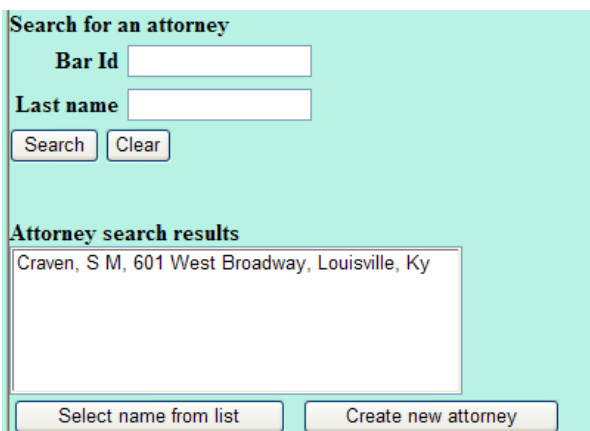
Bar Id

Last name

**Figure 9**

- ◆ This exercise illustrates how one could search for the attorney SM Craven. The search clue entered in the Last Name field is the beginning of his/her last name.
- ◆ Click on **[Search]**.

**STEP 10** The **ATTORNEY SEARCH RESULTS** screen will display all the matches for the search clue you entered. **(See Figure 10.)**



Search for an attorney

Bar Id

Last name

**Attorney search results**

Craven, S M, 601 West Broadway, Louisville, Ky

**Figure 10**

- ◆ When your name appears, highlight it with your mouse and click on **[Select Name From List]**.



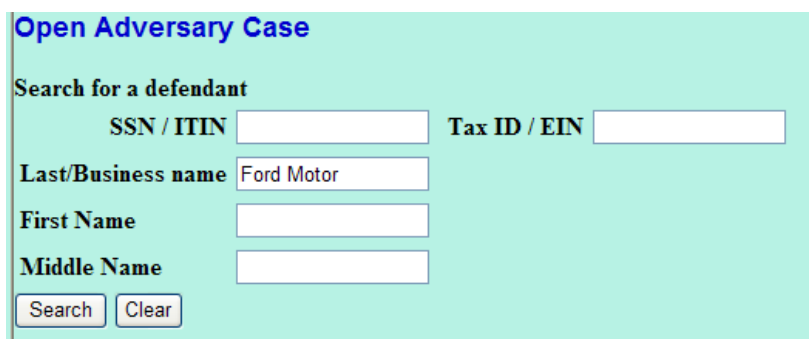
**STEP 11** The **ATTORNEY INFORMATION** screen displays the master attorney record from the court attorney roll. (See Figure 11.)

The screenshot shows the 'Attorney Information' screen for a party named 'Rittperson, Grace'. The attorney's name is 'S M Craven', with 'Bar Id:Unknown' and 'Bar Status:Unknown'. The form contains several input fields: 'Office' (empty), 'Address 1' (601 West Broadway), 'Address 2' (empty), 'Address 3' (empty), 'City' (Louisville), 'State' (Ky), 'Zip' (40202), 'Country' (empty), 'Phone' (empty), 'Fax' (empty), and 'E-mail' (sm\_craven@testing). There is a 'Lead attorney' dropdown menu set to 'yes'. At the bottom, there are three buttons: 'Add attorney', 'Cancel attorney', and 'Clear'. A note on the right side of the form states: 'Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.'

**Figure 11**

- ◆ Your attorney record can accommodate only one address. If the address for this case is different, make the changes to this screen. This will change professional and mailing information FOR THIS CASE ONLY.
- ◆ After verifying this information, click **[Add Attorney]** to associate this record with your plaintiff.
- ◆ The main **PLAINTIFF INFORMATION** screen again appears. (At this time you could click on the **[Review]** button to verify attorney and alias information for this party.
- ◆ When the Plaintiff Information screen appears again, Click **[Submit]**.
- ◆ You have added the plaintiff and if there are no more plaintiffs, the next step is to add the defendant(s). Click **[End plaintiff selection]**

**STEP 12** The **Search for a defendant** screen appears. (See Figure 12.)

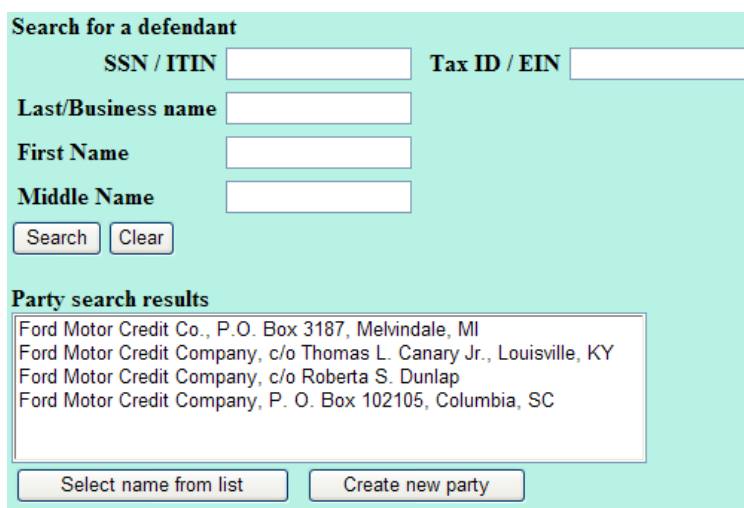


**Figure 12**

Enter the defendant's last name or other search clue and click **[Search]**. In Figure 12 we have entered the first word of the defendant's name (Ford Motor).

**NOTE:** Do not use the asterisk \* by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

**STEP 13** The **SEARCH RESULTS** screen appears. (See Figure 13.)



**Party search results**

- Ford Motor Credit Co., P.O. Box 3187, Melvindale, MI
- Ford Motor Credit Company, c/o Thomas L. Canary Jr., Louisville, KY
- Ford Motor Credit Company, c/o Roberta S. Dunlap
- Ford Motor Credit Company, P. O. Box 102105, Columbia, SC

**Figure 13**

**NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button.

◆ If the party is not on the listed, click the **[Create New Party]** button.

**NOTE:** Your name search may find more than one record having the same name as shown in **Figure 13**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

**STEP 14** The **DEFENDANT INFORMATION** screen appears. (See **Figure 14.**)

**Defendant Information**

Ford Motor Credit Co. SSN / ITIN: Unknown

Office	<input type="text"/>	Address 1	<input type="text" value="P.O. Box 3187"/>		
Address 2	<input type="text"/>	Address 3	<input type="text"/>		
City	<input type="text" value="Melvindale"/>	State	<input type="text" value="MI"/>	Zip	<input type="text" value="48122"/>
County	<input type="text"/>	Country	<input type="text" value="USA"/>		
Phone	<input type="text"/>	Fax	<input type="text"/>		
E-mail	<input type="text"/>				

Party text

Role in Bankruptcy Case

Add all attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

**Figure 14**

- ◆ If an address for the defendant appears, **REMOVE IT**.
- ◆ Expand the **Role in Bankruptcy Case** selection pick list by clicking on the down arrow ▼ and select the party type.
- ◆ The **Party Text** field is used for further party description, such as A Kentucky Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ Do not add an attorney for the defendant.
- ◆ Click on **[Submit]**.
- ◆ You have added the defendant and if there are no more defendants, Click **[End defendant selection]**

**STEP 15** The **ADVERSARY STATISTICAL** screen appears.  
(See Figure 15).

The screenshot shows a web form titled "Open Adversary Case" with a light blue background. The form contains several fields and dropdown menus:

- Party code:** A dropdown menu with "3 U.S. not a Party" selected.
- Primary nature of suit:** A dropdown menu with "none" selected.
- Rule 23 (class action):** A dropdown menu with "n" selected.
- Jury demand:** A dropdown menu with "None" selected.
- Demand (\$000):** An empty text input field.
- State law:** A dropdown menu with "n" selected.
- Second nature of suit:** A dropdown menu with "none" selected.
- Third nature of suit:** A dropdown menu with "none" selected.
- Fourth nature of suit:** A dropdown menu with "none" selected.
- Fifth nature of suit:** A dropdown menu with "none" selected.

At the bottom left of the form are two buttons: "Next" and "Clear".

**Figure 15**

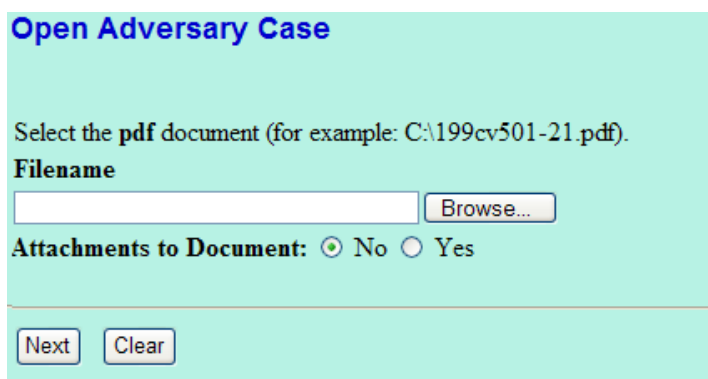
- ◆ Unless the US is a plaintiff or defendant in your case, accept the default **US is not a Party in the Case**.

- ◆ Select the Nature of Suit of the complaint from the list.

**NOTE:** If one of the multiple suits is a 727 Objection to Discharge, it is important to enter 424 as the Primary Nature of Suit.

- ◆ The default in the **Rule 23 (Class Action)** box is *n*. Change the default to **y** only if this is a Class Action suit.
- ◆ The default in the **Jury Demand** box is *n* (None)
  - Highlight the appropriate selection.
- ◆ **Dollar Demand.** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5,000, or \$5499, you would enter 5 for \$5000, leaving off the 000.
- ◆ **State Law** will default to *n*.
- ◆ Verify the data on your screen and then click **[Next]**.

**STEP 16** The **PDF DOCUMENT SELECTION** screen displays.  
(See Figure 16.)



Open Adversary Case

Select the pdf document (for example: C:\199cv501-21.pdf).

Filename

Browse...

Attachments to Document: ☒ No ☐ Yes

Next Clear

**Figure 16**

- ◆ To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.
  - Click **[Browse]**, then navigate to the directory where the appropriate PDF file is located and select it with your mouse.
- ◆ There will be no attachments in this exercise. Attachments will be covered in another lesson. Therefore, leave the radio button indicating No.
- ◆ Click **[Next]** to continue.

**STEP 17** The **FILING FEE** screen will display prompts for fee and receipt information. (See Figure 17.)

The screenshot shows a web form titled "Open Adversary Case" with a light blue background. It contains several lines of instructional text in blue and red. At the bottom, there are two input fields: "Receipt #:" and "Fee: \$250". Below these fields are two buttons: "Next" and "Clear".

Open Adversary Case

If you are attempting to file a **New Adversary Proceeding** and have selected the category Complaint and entered the Main Case number you must abort this transaction and go to the **Adversary** category and select the event **OPEN an AP CASE**.

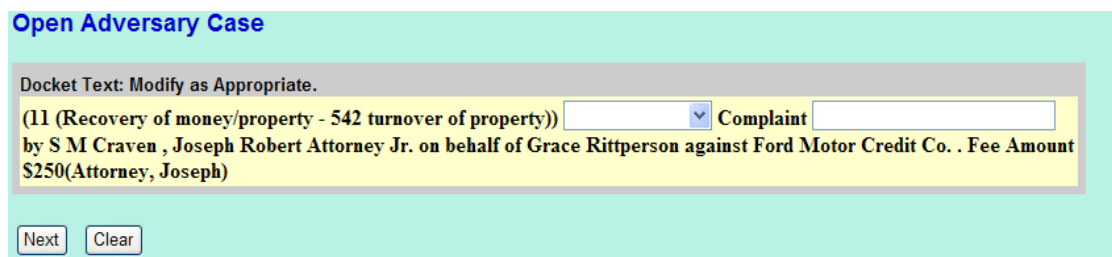
You must leave the receipt box blank in order for the credit card payment to be processed.

If fee does not apply or will be deferred remove fee amount from box below. Please note that there is no fee for a complaint filed by a Chapter 7 or Chapter 13 debtor.

Receipt #:  Fee: \$250

**Figure 17**

- ◆ You must leave the receipt box blank in order for the credit card payment to be processed.
- ◆ The Fee Amount defaults to the amount of the complaint filing fee, \$250.00. If the fee does not apply or will be deferred, remove the fee amount from the fee box.
- ◆ Click **[Next]** to continue.

**STEP 18** The **MODIFY TEXT** screen displays. (See Figure 18.)

Open Adversary Case

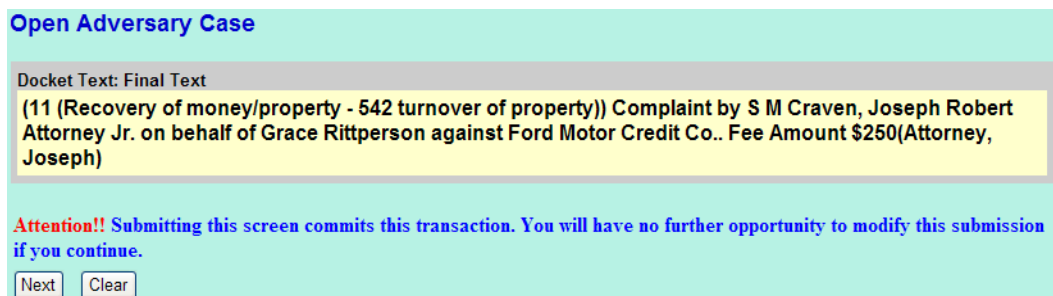
Docket Text: Modify as Appropriate.

(11 (Recovery of money/property - 542 turnover of property))  Complaint

by S M Craven , Joseph Robert Attorney Jr. on behalf of Grace Rittperson against Ford Motor Credit Co. . Fee Amount \$250(Attorney, Joseph)

**Figure 18**

- ◆ Optional prefixes are available for the final docket text. If appropriate select a prefix.
- ◆ Additional description can be typed in the text window.
- ◆ Click **[Next]**.

**STEP 19** The **FINAL DOCKET TEXT** screen displays. (See Figure 19.)

Open Adversary Case

Docket Text: Final Text

(11 (Recovery of money/property - 542 turnover of property)) Complaint by S M Craven, Joseph Robert Attorney Jr. on behalf of Grace Rittperson against Ford Motor Credit Co.. Fee Amount \$250(Attorney, Joseph)

**Attention!!** Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

**Figure 19**

- ◆ Proof this screen carefully! No further editing in the case opening process is allowed after this screen.
- ◆ If any part of it is incorrect, click the browser **[Back]** button to return to the screen you need to correct. Then process the screens again with the respective **[Next]** or **[Submit]** buttons or restart the transaction at any time by clicking on the **Adversary** hyperlink on the **Menu Bar**.

**NOTE:** When an adversary is opened, the complaint information is spread over to the main bankruptcy case.

**STEP 20**

The Internet Payment screen will be displayed. (See Figure 20). You will be given the opportunity to either pay your fees now by clicking on the Pay Now button, or to continue filing and pay all of the days outstanding fees at the end of the day by clicking on the Continue Filing option. Refer to the On-Line Credit Card manual for more information on paying your fees on-line.

2008-06-27 15:22:30	Amended Schedules (Fee)(08-30001) [misc,amdscha] ( 26.00)	\$ 26.00
2008-06-30 13:52:52	Complaint(08-03005) [cmp,cmp] ( 250.00)	\$ 250.00
2008-08-26 12:00:41	Complaint(08-03006) [cmp,cmp] ( 250.00)	\$ 250.00
		<b>Total:</b> <b>\$2712.00</b>
<div>Pay Now</div> <div>Continue Filing</div>		

**Figure 20**



**STEP 21** The **NOTICE OF ELECTRONIC FILING** screen appears.  
(See Figure 21.)

**Open Adversary Case**

U.S. Bankruptcy Court  
Western District of Kentucky

Notice of Electronic Filing

The following transaction was received from Attorney, Joseph entered on 8/26/2008 at 12:00 PM EDT and filed on 8/26/2008

**Case Name:** Ritterson v. Ford Motor Credit Co.  
**Case Number:** [08-03006](#)  
**Document Number:** [1](#)

**Case Name:** Grace Ritterson  
**Case Number:** [08-30005](#)  
**Document Number:** [6](#)

**Docket Text:**  
Adversary case 08-03006. (11 (Recovery of money/property - 542 turnover of property)) Complaint by S M Craven, Joseph Robert Attorney Jr. on behalf of Grace Ritterson against Ford Motor Credit Co.. Fee Amount \$250(Attorney, Joseph)

The following document(s) are associated with this transaction:

**Document description:**Main Document  
**Original filename:**S:\Training\PDF\_ECF\_Training\Complaint.pdf  
**Electronic document Stamp:**  
[STAMP bkecfStamp\_ID=996699402 [Date=8/26/2008] [FileNumber=19491-0] [21c96dc1ebf4e51fc634618c3f58a85d485ebeb653f25644399ddc5ec866b9e5245752a96ef53230655febef4dc02e25348bd4d3219da73b6394df3f9302b1b]]  
**Document description:**Main Document

**Figure 21**

- ◆ The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- ◆ The case number is a hyperlink to the docket sheet and clicking on the document number hyperlink will display the image of the complaint. **The case number of both this adversary and the lead bankruptcy case appear.** This indicates that this complaint entry has spread to the bankruptcy case and will be available to anyone reviewing the Bankruptcy Docket report. The hyperlink to the imaged complaint is also accessible from the bankruptcy case.
- ◆ To print a copy of this notice, click the browser **[Print]** icon.
- ◆ To save a copy of this receipt, click **[File]** on the browser menu
- ◆ Trustee and Attorney users will have access to the **Notice of Electronic Filing** at the time of their filing. Subsequent access to any Query or Report programs must go through the PACER system.